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9 Attorneys for Specially-Appearing Defendants
Pangang Group Company, Ltd., Pangang Group
10 Steel Vanadium & Titanium Company, Ltd.,
Pangang Group Titanium Industry Company,
11 Ltd., and Pangang Group International Economic
& Trading Company

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

14
15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 vs.

18 PANGANG GROUP COMPANY, LTD.,
19 PANGANG GROUP STEEL VANADIUM &
TITANIUM COMPANY, LTD.,
20 PANGANG GROUP TITANIUM
INDUSTRY COMPANY, LTD., and
21 PANGANG GROUP INTERNATIONAL
ECONOMIC & TRADING COMPANY,

22 Defendants.

CASE NO. CR 11-0573 JSW

**SPECIALLY-APPEARING
DEFENDANTS' APPLICATION FOR
LEAVE TO FILE A RESPONSE TO THE
GOVERNMENT'S ATTESTATION
REGARDING SERVICE OF SUMMONS
ON PANGANG GROUP DEFENDANTS
AND ORDER ON REQUEST FOR LEAVE TO FILE**

1 Specially-Appearing Defendants Pangang Group Company, Ltd., Pangang Group Steel
2 Vanadium & Titanium Company, Ltd., Pangang Group Titanium Industry Company, Ltd., and
3 Pangang Group International Economic & Trading Company (collectively, the “Pangang Group
4 Defendants”) respectfully request leave to file a response to the government’s attestation regarding
5 service of summons on Pangang Group Defendants (Dkt. No. 615).

6 On July 23, 2012 and April 8, 2013, respectively, the Court granted the Pangang Group
7 Defendants’ first and second motions to quash service of summonses. (Dkt. Nos. 176 & 293.)
8 At an August 8, 2013 status conference, the government requested leave to file a motion for
9 reconsideration of the Court’s orders regarding service on the Pangang Group Defendants. At
10 that hearing, the Court set a deadline of August 15, 2013 for the government to outline its position.
11 The Court also invited the Pangang Group Defendants to respond to the government’s submission.
12 (Dkt. No. 415.)

13 The government thereafter submitted a request for leave to file motion for issuance of new
14 summonses based on a finding of substantial compliance with Rule 4. (Dkt. No. 423.) In that
15 submission, the government asked that, in the event that the court declined to issue new
16 summonses, the court dismiss the indictments. (*Id.* at 2.) After receiving the Pangang Group
17 Defendants’ opposition (Dkt. No. 438), on October 1, 2013, the Court denied the government’s
18 requests (Dkt. No. 467). In doing so, the Court stated that, in support of the government’s
19 request for dismissals, the government could file an attestation that “there are no new facts that
20 could be developed to alter this Court’s previous rulings on agency and alter-ego.” (*Id.* at 4-5.)

21 On December 5, 2013, the government filed an Attestation Regarding Service of Summons
22 on Pangang Group Defendants (Dkt. No. 615). The Pangang Group Defendants desire to
23 respond to the government’s attestation. However, because the Court did not specifically ask for
24 a response, the Pangang Group Defendants respectfully seek leave to reply to the government’s
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1 submission as part of their special appearances. A copy of the Pangang Group Defendants'
2 proposed response to the government's attestation is attached hereto as Exhibit A.

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6 DATED: December 6, 2013

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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9 By /s/ Robert P. Feldman

Robert P. Feldman


John M. Potter

Attorneys for Specially-Appearing Defendants
Pangang Group Company, Ltd., Pangang Group
Steel Vanadium & Titanium Company, Ltd.,
Pangang Group Titanium Industry Company,
Ltd., and Pangang Group International Economic
& Trading Company

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16 ~~PROPOSED~~ ORDER

17 Specially-Appearing Defendants Pangang Group Company, Ltd., Pangang Group Steel
18 Vanadium & Titanium Company, Ltd., Pangang Group Titanium Industry Company, Ltd., and
19 Pangang Group International Economic & Trading Company are hereby granted leave to file a
20 response to the Government's Attestation Regarding Service of Summons on Pangang Group
21 Defendants (Dkt. No. 615). The response filed as Docket No. 621-1 is deemed filed. The Court shall
22 issue a ruling on the Government's request for a terminating order in due
23 course.

24 DATED: January 6, 2014

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26 
27 Hon. Jeffrey S. White
UNITED STATES DISTRICT JUDGE